



FISH Eng'g Construction, Inc. # 2014  
Communications Log

- 11-18-80 EPO 8700-12 Notification Form
- 12-10-80 TDWR to Fi: Letter re use of manifests
- \* 5-14-81 Fi to TDWR: Submittal of closure plan for 3 ponds
- 5-22-81 TDWR memo to File: Record of phone call re Fi plants remove contaminated pond liner and backfill to use ponds as new tank containment systems.
- 6-25-81 TDWR to Fi: ~~Denial of closure plan as insufficient info~~  
 7-8-81 Gulf Co to TDWR: Letter re use of transporters.
- 9-9-81 Fi to TDWR: Reclassified waste code nos. for petro residues
- 10-14-81 Fi to TDWR: Submittal of TWC Part A
- \* 11-17-81 Fi to TDWR: ~~Submittal pond water & sludge analysis~~  
 letter
- 12-4-81 TDWR to Fi: Letter re delinquent annual report.
- 12-21-81 TDWR to Fi: Denial of closure plan
- 12-29-81 TDWR to Fi: Recommendations for land TSD of GWM
- 1-14-82 TDWR memo to File: Correction of NDR 208. NDO 001 and 003 to class I
- \* 1-26-82 Fi to TDWR: ~~Submittal additional closure plan~~ ponds out of service 10-16-81. See \* Communications.
- \* 2-26-82 TDWR to Fi: ~~Approval of 3 ponds closure plan based on letter 11-17-81~~  
~~5-14-81~~
- 3-17-82 Fi to TDWR: Submittal of closure plan schedule
- 3-22-82 TDWR to Fi: Request for annual reports
- \* 3-31-82 ~~INSPECTION~~
- 4-7-82 TDWR to Fi: ~~Revised closure plan~~ ~~reclassification~~ ~~of waste sludge as Class I~~
- 3-31-82 TDWR memo to File: Instruction to BRAB. Co to not receive Fi sludge.
- 4-16-82 TDWR to Fi: Enforcement letter re manifest violations.
- 4-21-82 TDWR INSPECTION REPORT
- \* 5-29-82 Fi to TDWR: Request for reclass'n of sludge in Pond 2 as cl II.  
 Reclass'n of soils in Ponds 2 & 3 for deed recordation. Approval of modified plants leave sludge on site. Submittal of final data

Fish Engr. & Constr. Inc. ; Box # 30141  
Communications Log.

- \* 5-21-82 TDWR to Fi: Denial of 4-19-82 rejection of pond & dredge CE II.  
Approval of modified clo. Plan with amendments
- 5-25-82 TDWR Memo to Fi: Called to notify of GWM insurain by 6-2-82.
- \* 5-26-82 Fi to TDWR: Req. for approval of hard cover (for vegetative cover).  
~~For pond closure~~ Notification of GWM well installation  
~~Ponds to be closed as CE II.~~
- 6-11-82 Fi to TDWR: Submittal of cert. of insurance.
- \* 6-21-82 TDWR to Fi: Approval of hard wearing surface on closure cover  
6-28-82 Fi to TDWR: Notes to DIST. 7 of pond's construction of cover wear surface
- 8-4-82 Fi to TDWR: Submittal of 1st mo (6/82?) GWM Data. TOX NOT POSSIBLE  
Req'd CE in place on TOX.
- 8-17-82 TDWR to Fi: Denial of use of CE for TOX.
- 8-24-82 Fi to TDWR: Submittal of certification of 3 pond closures &  
2nd mo (7/82?) GWM Data.
- 8-31-82 Fi to TDWR: Submittal (per request) of GWM well logs.
- 9-10-82 TDWR Memo: Statement that GW is contaminated - to Ent 6.
- 9-30-82 TDWR to Fi: Request Submittal of Revised Part A.
- 10-4-82 Fi to TDWR: Submittal 2nd mo (8/82?) GWM data w well location
- 10-12-82 Fi to TDWR: Submittal revised two Part A (4 pages).
- 10-26-82 Fi to TDWR: Submittal 4th mo (9/82?) GWM data.
- 3-16-83 TDWR INSPECTION REPORT 3/83
- 3-17-83 TDWR to Fi: Transmitted 3/83 inspection findings.
- 3-17-83 TDWR Memo: Transmitted 3/83 inspection conclusions/comments
- 4-19-83 Fi to TDWR: Response to 3/83 inspection report
- 4-22-83 Fi to TDWR: Request for time extension for further response to 4/19/83
- 5-5-83 TDWR IND. SW: TSD Review
- 5-6-83 TDWR DIST. 7 memo: Noted difference in NW-SW & NE-SE GWM data  
No further action planned.
- 5-11-83 TDWR to Part A applicants: Announced 4-20-83 TDWR Rep & Part B cond.
- 5-11-83 TDWR to Fi: Transmitted of requirement for financial assurance.
- 8-1-84 TDWR to Fi: Request for updated NOR.
- 8-21-84 Fi to TDWR: Submittal marked up copy of NOR

FISH ENGR. & Construction Inc. Proj # 30141

Communication Log

- 6-6-85 TOWR to Fi: Part B-Call in + Req for Part A modification due 1-8-85
- 7-3-85 Fi to TOWR: Response to Part B call-in. Want relief from  
11-8-85 due date since no land units exists.
- 9-25-85 TOWR to Fi: Withdrawal of the Part B call-in
- 10-31-85 EPA-6 to Fi: Letter informing of rules for loss of interim status.
- 2-22-86 TWC inspection form & report of inspectors.
- 3-28-86 Fi to TWC: Request for reclassification of wastes 001 & 002 to D1T.
- 4-17-86 TWC to Fi: Return of unsigned APP. & Eval to APPLICANT.
- 4-21-86 Fi to TWC: Resubmittal of APP. of Eval.
- 6-18-86 TWC to Fi: Return of invalid ann report.

TEXAS DEPARTMENT OF WATER RESOURCES

1700 N. Congress Avenue  
Austin, Texas



Charles E. Nemir  
Executive Director  
June 6, 1985

TEXAS WATER DEVELOPMENT BOARD

Louis A. Beecherl, Jr., Chairman  
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TEXAS WATER COMMISSION

Paul Hopkins, Chairman  
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Ralph Roming

Mr. J. R. Nicholson  
Fish Engineering &  
Construction, Inc.  
P. O. Box 22535  
Houston, Texas 77027

CERTIFIED MAIL

Dear Mr. Nicholson:

Re: Industrial Solid Waste Registration No. **30141-3**

The Texas Department of Water Resources (TDWR) is implementing the hazardous waste permitting program for industrial solid waste facilities in Texas. Our records indicate that you filed a state and/or federal Part A hazardous waste permit application for an operational hazardous waste storage, processing, and/or disposal facility as referenced above. In accordance with Title 31 Texas Administrative Code (TAC) Section 341.180, we hereby request submittal of Part B of your hazardous waste permit application, as well as any necessary modifications or additions to the Part A application already on file.

Pursuant to the Hazardous and Solid Waste Amendments of 1984 (HSWA), amending the Resource Conservation and Recovery Act (RCRA), the Part B application and Part A modifications for any company operating disposal units should be submitted by November 8, 1985. By law, authorization to continue hazardous waste land disposal at your facility will terminate on this date if the complete application is not submitted. Therefore, your complete application is due November 8, 1985. If your facility does not include any disposal units subject to permitting, please contact the Solid Waste Section upon receipt of this letter.

The HSWA established new requirements for which the State has not yet received authorization. As a result, permits issued by the TDWR cannot completely satisfy the federal permit requirements, and a separate permit issued by EPA is necessary. To minimize duplication of effort, the State and EPA have executed a joint permitting agreement. Pursuant to this arrangement, the TDWR will take the lead in processing permit applications, thus serving as the primary contact for applicants. The TDWR will also develop permits under State authorities which can be issued by both agencies. Since we will transmit one copy to EPA Region VI and coordinate all subsequent permit processing steps with their office, all copies of your permit application should be submitted to the TDWR.

Please find enclosed for your use a blank Part A application form and a current copy of your TDWR Notice of Registration (NOR). If the Part A application currently on file with TDWR does not accurately reflect hazardous waste management activities at the facility, then the Part A should be revised accordingly

and submitted with the Part B application. If wastes currently listed on the Part A are no longer considered to be hazardous, you must submit appropriate documentation accompanying the revision to support the deletion. Likewise, if a unit is identified on the Part A which is not now considered to be a hazardous waste management unit, you must support the deletion by:

- 1) demonstrating that the unit has been or will be closed pursuant to a closure plan approved by the Executive Director;
- 2) demonstrating that the unit has not been used for hazardous waste management since November 19, 1980; or
- 3) demonstrating that the unit qualifies for an exclusion from permitting as prescribed in 31 TAC 335.2 and/or 335.69.

If you intend to delete hazardous waste or hazardous waste management units from the facility's Part A, you should upon receipt of this letter contact the Solid Waste Section and initiate the necessary actions. When you submit the facility's Part B permit application, it must fully address each hazardous waste and hazardous waste management unit which is identified on the Part A.

In revising your Part A application, please ensure that each waste and facility unit is identified by the appropriate waste classification code number and facility sequence number as noted in the NOR. If the NOR does not accurately reflect current waste management activities at the facility, please make the necessary corrections and submit a revised copy to the Solid Waste Section within 60 days of receipt of this letter. Each waste and facility unit identified in your Part A application should have the same waste code number and facility sequence number that are listed in your NOR.

Please also find enclosed for your use a copy of the industrial hazardous waste Part B permit application form and instructions. The instructions cover the technical requirements of the application in detail and are not to be submitted with the application. In order for you to meet the required submittal date, certain types of demonstrations, as applicable, must be initiated shortly after receiving this letter. As a result, you should upon receipt of this letter contact the Solid Waste Section and initiate necessary action if:

- 1) Your company intends to pursue any type of waiver or exemption;
- 2) Your company is required to do synthetic membrane liner compatibility testing (i.e., a 120-day test using EPA Test Method 9090) for new waste management units or lateral expansion of existing units; or
- 3) Your company is required to conduct field tests or laboratory analyses in conjunction with the treatment demonstration required for land treatment units.

Your company must also determine for each waste management area whether a detection ground-water monitoring program, a compliance monitoring program, or a corrective action program is required. If the presence of hazardous constituents has not been detected in the ground water at the time of the permit application, your company must submit sufficient information to establish a detection monitoring program. If a detection monitoring program is required, your company must prepare a ground water monitoring report in response to Section V of the Part B permit application which meets the informational requirements of 40 CFR 270.14(1), (2), (3), (5), and (6). If the presence of hazardous constituents has been detected in ground water at the point of compliance at the time of permit application, your company must submit sufficient information to establish a compliance monitoring program. If a compliance monitoring program is required, your company must prepare a compliance plan report in response to the Ground Water Compliance Plan Application which meets the informational requirements of 40 CFR 270.14(1), (2), (3), (4), (5), and (7). The conditions which would require your company to submit sufficient information to establish a corrective action program are described in 40 CFR 270.14(c)(8). You will find enclosed a copy of the Ground Water Compliance Plan Application which is for your use if either a compliance monitoring or corrective action program is required. In this event, the original and three copies of the Ground Water Compliance Plan Application must be submitted with the Part B.

In addition to the information specified in the Part B application form, HSWA and TDWR rules require the following:

1. An exposure assessment must be submitted. This assessment must address: (a) potential hazardous waste releases from transportation to or from the waste management unit(s), normal operations at the unit(s), and accidents; (b) potential pathways of human exposure from such releases; and (c) potential magnitude and nature of human exposure from such releases.
2. The location and areal extent of all non-hazardous waste disposal units (past and present) on the plant site which are not identified in the Part B application should be indicated on the plan-view drawing required in III.A.2. of the Part B [31 TAC 341.153(7)(C)];
3. The staffing pattern for the facility should be submitted including the qualifications of all key operating personnel whose duties include waste management [31 TAC 341.180(2)]; and
4. A physical description and current representative chemical analysis should be submitted for each waste which your company feels is not hazardous and which is commingled in a storage or disposal unit covered by the Part B application [31 TAC 341.180(3)].

Furthermore, HSWA sets forth minimum technological requirements on certain landfills and surface impoundments. Specifically, two or more liners, a leachate collection system above (in the case of a landfill) and between the liners, and ground-water monitoring are required for new landfill or surface impoundment units and for replacements or lateral expansions of existing landfill or surface impoundment units. Please refer to 40 CFR 264.221(c)-(e) and 264.301(c)-(e) and address these requirements in your Part B submittal accordingly.

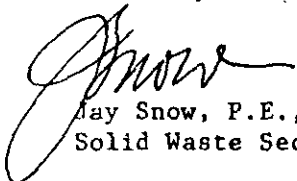
Please submit the original and two copies of your application including all related reports, together with six additional copies of Section I of the application form. For large, multiple-volume applications, please package only one set per box, where practical, and clearly mark which box contains the original.

Please avoid the submission of confidential information unless you feel it is essential. Each claim of confidentiality will be reviewed on a case-by-case basis. If confidential information must be submitted, please package the materials separately from the application and mark "Confidential" on the outside of the parcel. Any confidential material submitted should be referenced in your application although it is packaged separately. All claims of confidentiality must be substantiated at the time the information is submitted based on the Open Records Act, Article 6252-17a, V.A.C.S.

Once received, your application will be reviewed for administrative and technical deficiencies. Additional information may be requested at a later date to supplement your application.

Communications relating to Parts A and B of the permit application should be directed to the Solid Waste Section at AC512/463-8175. Communications relating to the Ground Water Compliance Plan Application should be directed to the Enforcement and Field Operations Division at AC512/463-7727.

Sincerely,



Jay Snow, P.E., Chief  
Solid Waste Section

Enclosures

cc: TDWR District Office

30141

6-10-85

PS Form 3811, July 1983

**SENDER: Complete items 1, 2, 3 and 4.**

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☒ Show to whom, date and address of delivery.

2. ☐ Restricted Delivery.

3. Article **Mr. J. R. Nicholson  
Fish Engineering &  
Construction, Inc.  
P. O. Box 22535  
Houston, Texas 77027**

4. Type of Service: ☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail

Article Number **4930**

Always obtain signature of addressee or agent and  
**DATE DELIVERED**

5. Signature - Addressee  
*X* *H. Gonzalez*

6. Signature - Agent  
*X*

7. Date of Delivery  
*6/10/85*

8. Addressee's Address (ONLY if requested and fee paid)

**DOMESTIC RETURN RECEIPT**

**TX JULIUS MELCHER STA  
JUN 10 1985  
USPO**

30141



30141

**FISH**

**FISH  
ENGINEERING &  
CONSTRUCTION, INC.**

THREE POST OAK CENTRAL 1990 POST OAK BOULEVARD

July 3, 1985

CERTIFIED MAIL NO. 524454

Texas Department of Water Resources  
P.O. Box 13087  
Capital Station  
Austin, Texas 78711

Attention: Mr. Minor Brooks Hibbs

Reference: Industrial Solid Waste Registration 30141

Gentlemen:

Please refer to your letter of June 6, 1985 transmitting Industrial Hardous Waste Part B Permit Application, Part B Instructions, Ground Water Compliance Plan Application, Notice of Registration, Part 1 Instructions, and Article 4477-7 of the Revised Civil Statutes.

On August 24, 1982, we advised Mr. Jay Snow that we had completed closure of the waste water ponds according to the Regulations of TDWR and modifications to our closure plan set out in letters to us dated February 26, May 21, and June 21, 1982.

The operations that are performed at our Freeport Marine Yard is barge cleaning and repair. The waste water including various chemicals as shown in the Registration Certificate are stored in a movable barge moored in the Intercoastal Canal contiguous to our property. These fluids are disposed of through disposal facilities once or twice a year as required. In addition, we store various fluids in tanks on the property which is sold to reclaiming agents or others several times during the year. These fluids are not retained longer than ninety days.

It appears to us that the appropriate section of Part B Permit Application would be "tanks" since a barge could technically be called a tank, albeit it is floating in the Intercoastal Canal.

In discussing your letter of June 6 with one of your representatives on this date, we were advised that we would not fall within the time limit of November 8, 1985 for filing Part B of the Permit Application. We would appreciate your advises concerning (1) the section of Part B that should be completed for the storage of solid waste in a barge and (2) the time that we are required to file Part B of the Permit Application.

Texas Department of Water Resources

July 3, 1985

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Your assistance is appreciated.

Yours very truly,

FISH ENGINEERING & CONSTRUCTION, INC.



J. R. Nicholson  
Vice President Construction

zs

cc: D. F. Prinster

TEXAS WATER COMMISSION

30141

Paul Hopkins, Chairman  
Ralph Roming, Commissioner  
John O. Houchins, Commissioner



Larry R. Soward, Executive Director  
Mary Ann Heffner, Chief Clerk  
James K. Rourke, Jr., General Counsel

SEP 25 1985

Rex COFFMAN  
Minor Brooks HIBBS

Mr. J. R. Nicholson,  
Vice-President-Construction  
Fish Engineering & Construction, Inc.  
P. O. Box 22535  
Houston, Texas 77227

Dear Mr. Nicholson:

Re: Industrial Solid Waste Registration No. 30141 - Part B Call-in  
Fish Engineering & Construction, Inc.

As a result of the Hazardous and Solid Waste Amendments of 1984 (HSWA) to the Resource Conservation and Recovery Act, whereby interim authorization for land disposal of hazardous waste terminates for any facility not having submitted a complete application by November 8, 1985, the Texas Department of Water Resources (TDWR) placed a high priority on calling in the Part B for any facility which could potentially be impacted by the subject date. Thus, on June 6, 1985, the TDWR requested that Fish Engineering & Construction, Inc. submit Part B of their hazardous waste permit application.

However, based on a review of your original and revised Part A submitted to this Agency, and your letter of July 3, 1985 stating the subject facility has "completed closure of the waste water ponds according to the Regulations of TDWR..." It does not appear that the November 8, 1985 Part B submittal deadline is warranted at this time. Therefore, this Agency hereby withdraws the June 6, 1985 request for the Part B hazardous waste permit application called for by the TDWR. Please note this action does not relieve Fish Engineering & Construction, Inc. of any statutory requirements imposed by HSWA or the final Codification Rule promulgated by the U.S. Environmental Protection Agency on July 15, 1985 as they may affect your facility. Your Part A will continue to remain active as a storage and processing permit application and will be scheduled to be called in at a later date.

If you have any questions regarding this matter please feel free to contact Mr. Rex Coffman at AC512/463-8197.

Sincerely,

Minor Brooks Hibbs, Chief  
Permits Section  
Hazardous and Solid Waste Division

JDC:bb

NOTICE OF REGISTRATION  
REGISTRATION NUMBER: 30141  
COMPANY NAME: FISH ENGINEERING &

PAGE. 1

DW0550

TEXAS WATER COMMISSION  
NOTICE OF REGISTRATION  
INDUSTRIAL SOLID WASTE GENERATION/DISPOSAL

10-16-85

THIS IS NOT A PERMIT AND DOES NOT CONSTITUTE AUTHORIZATION OF ANY WASTE MANAGEMENT ACTIVITIES OR FACILITIES LISTED BELOW. REQUIREMENTS FOR SOLID WASTE MANAGEMENT ARE PROVIDED BY TEXAS ADMINISTRATIVE CODE SECTION 335 OF THE RULES OF THE TEXAS WATER COMMISSION (TWC). CHANGES OR ADDITIONS TO WASTE MANAGEMENT METHODS REFERRED TO IN THIS NOTICE REQUIRE WRITTEN NOTIFICATION TO THE TWC.

DATE OF NOTICE: 09-30-85

REGISTRATION DATE: 05-10-77

REGISTRATION NUMBER: 30141

EPA I.D. NUMBER: TXD980626121

THE REGISTRATION NUMBER PROVIDES ACCESS TO STORED INFORMATION PERTAINING TO YOUR OPERATION. PLEASE REFER TO THAT NUMBER IN ANY CORRESPONDENCE.

COMPANY NAME: FISH ENGINEERING &  
MAILING ADDRESS: CONSTRUCTION, INC.  
P.O. BOX 22535  
HOUSTON, TEXAS 77027

GENERATING SITE LOCATION:  
BRAZORIA CO. RD. 756, 1 MI EAST OF HWY 332

CONTACT PERSON: J.R. NICHOLSON  
PHONE: (713) 621-8300  
NUMBER OF EMPLOYEES: LESS THAN 100  
TWC DISTRICT: 07

REGISTRATION STATUS: ACTIVE  
REGISTRATION TYPE: GENERATOR  
HAZARDOUS WASTE STATUS: GENERATOR/TSD FACILITY

I. WASTE GENERATED:

WASTE NUMBER	DESCRIPTION	CLASS	CODE	DISPOSITION
001	WASHINGS FROM BARGES, TANKS, RR TANK CARS, ETC.-MISC. CHEMS	IH	909270	ON-SITE/OFF-SITE/SOL D FOR RECOVERY

EPA HAZARDOUS WASTE NOS. (REFER TO 40 CFR PART 261 FOR DESCRIPTIONS):

002	ORGANIC CHEMICALS (DRAINAGE, FLUSHINGS, AND WASHINGS), MISC.	IH	910760	ON-SITE/OFF-SITE/SOL D FOR RECOVERY
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EPA HAZARDOUS WASTE NOS. (REFER TO 40 CFR PART 261 FOR DESCRIPTIONS):

NOTICE OF REGISTRATION (ISSUED)  
REGISTRATION NUMBER: 30141  
COMPANY NAME: FISH ENGINEERING &

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003 EVAPORATION POND SLUDGE IH 979490 NO LONGER GENERATED  
(ORGANICS & HYDROCARBONS)

EPA HAZARDOUS WASTE NOS. (REFER TO 40 CFR PART 261 FOR  
DESCRIPTIONS):

004 PETROLEUM REFINING STILL II 250150 ON-SITE/OFF-SITE/SOL  
BOTTOMS D FOR RECOVERY

II. SHIPPING/REPORTING: PURSUANT TO TEXAS ADMINISTRATIVE CODE  
SECTION 335 OF THE RULES OF THE TWC PERTAINING TO INDUSTRIAL SOLID  
WASTE MANAGEMENT, ISSUANCE OF MANIFESTS AND MONTHLY REPORTING ARE  
REQUIRED FOR OFF-SITE STORAGE/PROCESSING/DISPOSAL OF THE FOLLOWING  
CLASS I WASTES LISTED IN PART I.

PREPARE A MONTHLY WASTE SHIPMENT SUMMARY AND SUBMIT IT ALONG WITH  
THE GREEN COPY OF THE MANIFEST(S) FOR EACH MONTH THAT  
SHIPMENTS OF THE FOLLOWING WASTE(S) ARE MADE. NO MONTHLY  
WASTE SHIPMENT SUMMARY IS REQUIRED FOR MONTHS WHEN SHIPMENTS  
ARE NOT MADE.

001 909270 WASHINGS FROM BARGES, TANKS,  
RR TANK CARS, ETC.-MISC. CHEMS

002 910760 ORGANIC CHEMICALS (DRAINAGE,  
FLUSHINGS, AND WASHINGS), MISC.

III. ON-SITE WASTE MANAGEMENT FACILITIES:

FAC NO.	FACILITY	STATUS
01	SURFACE IMPOUNDMENT DISPOSAL OF WASTE NUMBER(S) 001  SUBJECT TO PERMIT NUMBER (PENDING) LINED PONDS	ACTIVE
02	BULK STORAGE AREA STORAGE OF WASTE NUMBER(S) 001, 002, 003, 004  SUBJECT TO PERMIT NUMBER (PENDING) MOVEABLE BARGE	ACTIVE
03	TANK STORAGE OF WASTE NUMBER(S) 001, 002, 003, 004  SUBJECT TO PERMIT NUMBER (PENDING)	ACTIVE

NOTICE OF REGISTRATION (ISSUED)  
REGISTRATION NUMBER: 30141  
COMPANY NAME: FISH ENGINEERING &

PAGE 3

04 TANK STORAGE ACTIVE  
OF WASTE NUMBER(S) 001, 002, 003, 004  
  
SUBJECT TO PERMIT NUMBER (PENDING)

05 SURFACE IMPOUNDMENT ACTIVE  
STORAGE  
OF WASTE NUMBER(S) 003  
  
SUBJECT TO PERMIT NUMBER (PENDING)  
LINED PONDS

UNLESS OTHERWISE STATED ABOVE, FACILITIES ARE LOCATED  
AT BRAZORIA CO. RD. 756, 1 MI EAST OF HWY 332  
COUNTY OF BRAZORIA

#### IV. RECORDS.

- A. FOR PURPOSES OF FILING ANNUAL REPORTS PURSUANT TO TEXAS ADMINISTRATIVE CODE SECTION 335 OF THE RULES OF THE TWC PERTAINING TO INDUSTRIAL SOLID WASTE MANAGEMENT, RECORDS SHOULD BE MAINTAINED FOR STORAGE, PROCESSING AND/OR DISPOSAL OF THE FOLLOWING WASTE(S) LISTED IN PART I:

001 909270 WASHINGS FROM BARGES, TANKS,  
RR TANK CARS, ETC.-MISC. CHEMS

002 910760 ORGANIC CHEMICALS (DRAINAGE,  
FLUSHINGS, AND WASHINGS), MISC.

- B. PROOF OF RECORDATION IN THE COUNTY DEED RECORDS, AS REQUIRED BY TEXAS ADMINISTRATIVE CODE SECTION 335 OF THE RULES OF THE TWC, SHOULD BE SUBMITTED TO THE EXECUTIVE DIRECTOR FOR THE FOLLOWING FACILITIES LISTED IN PART III IN ACCORDANCE WITH THE FOLLOWING SCHEDULES:

NEW FACILITIES - PRIOR TO INITIATION OF  
DISPOSAL OPERATIONS.

EXISTING FACILITIES - AS SOON AS POSSIBLE, BUT NO  
LATER THAN SIXTY (60) DAYS FROM  
THE DATE OF THIS NOTICE, UNLESS  
PREVIOUSLY SUBMITTED.

FAC NO FACILITY

01 SURFACE IMPOUNDMENT

30141



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION VI  
INTERFIRST TWO BUILDING, 1201 ELM STREET  
DALLAS, TEXAS 75270

OCT 31 1985

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Fish Engineering Marine Operations  
P. O. Box 0  
Freeport, Texas 77541

RE: Request for Information Pursuant to §3007 of the Resource  
Conservation and Recovery Act, 42 U.S.C. §6927

Dear Owner/Operator:

The Environmental Protection Agency (EPA) is hereby advising you that the Resource Conservation and Recovery Act of 1976 (RCRA) has been amended by the Hazardous and Solid Waste Amendments of 1984 (the Amendments), and in particular, is informing you of a new provision known as the loss of interim status provision. The purpose of this letter is to provide additional guidance relative to the loss of interim status provision and to request information regarding your operations before and after November 8, 1985.

The loss of interim status provision states:

(2) In the case of each land disposal facility which has been granted interim status under this subsection before the date of enactment of the Hazardous and Solid Waste Amendments of 1984, interim status shall terminate on the date [November 8, 1985] twelve months after the date of the enactment [November 8, 1984] of such Amendments unless the owner or operator of such facility-

(A) applies for a final determination regarding the issuance of a permit under subsection (c) for such facility before the date twelve months after the date of the enactment of such Amendments; and

(B) certifies that such facility is in compliance with all applicable groundwater monitoring and financial responsibility requirements.

The EPA's interpretation of the requirement under this provision is published at 50 Federal Register 38946 (September 25, 1985), a copy of  
ely. In order for

you to continue to place wastes in any land disposal unit at your facility on and after November 8, 1985, you must submit: (1) A Part B operating permit application, and (2) a certification of compliance with all applicable groundwater monitoring and financial responsibility requirements prior to November 8, 1985. Certification is allowed on a unit-by-unit basis. The Part B application should be mailed or delivered by November 8, 1985, to:

Mr. Minor Hibbs, Chief  
Hazardous and Solid Wastes  
Permits Section  
Texas Water Commission  
1700 N. Congress Ave.  
Austin, Texas 78701

The certification should be mailed by November 8, 1985, to:

U.S. Environmental Protection Agency and  
Hazardous Waste Management Division  
InterFirst II Building - 28th Floor  
1201 Elm Street  
Dallas, Texas 75270  
Attn: Mr. William Rhea (6H-RH)

Mr. Minor Hibbs, Chief  
Hazardous and Solid Wastes  
Permits Section  
Texas Water Commission  
1700 N. Congress Ave.  
Austin, Texas 78701

The owner/operator of a facility may certify compliance only if the facility or units for which interim status is retained is in physical compliance. Because this is a Federal statutory provision, an outstanding order issued by any agency with a compliance date on or beyond November 8, 1985, does not relieve the owner/operator of the obligation to be in physical compliance by the date the certification is due. You may not interpret or rely on any order or compliance schedule therein as an extension of the November 8, 1985, deadline. Moreover, difficulties in achieving compliance, such as obtaining insurance, will not be considered as an excuse or exemption from the requirement of physical compliance.

If you do not certify compliance with groundwater monitoring and financial responsibility requirements, and you do not submit a Part B permit application by November 8, 1985, you must cease to place wastes into the land disposal units in question by that date and submit a closure plan for these units to the above addresses by November 23, 1985. This follows by operation of law and does not require notice from EPA.

You are hereby required, pursuant to the authority of 53007 of RCRA, 42 U.S.C. §6927, to report to EPA the following additional information regarding hazardous waste land disposal units that had interim status on or before November 8, 1985, and/or received hazardous waste after November 19, 1980. In particular, you are to submit the information requested in Enclosure 2 according to the schedule specified in



Enclosure 2. Each submission must identify the facility by name, mailing address, facility location, and EPA RCRA I.D. number. Identify the information request number or repeat the request, include a self-explanatory and complete response, and date and sign each response.

You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR §2.203(b). You should read the above-cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim. Information covered by such a claim will be disclosed by EPA only to the extent, and by the means of the procedures, set forth by 40 CFR Part 2, Subpart B. If no such claim accompanies the information when it is received by the EPA, it may be made available to the public by the EPA without further notice to you.

Please forward the additional information requested to:

U.S. Environmental Protection Agency  
Hazardous Waste Management Division  
InterFirst II Building - 28th Floor  
1201 Elm Street  
Dallas, Texas 75270  
Attn: Mr. William Rhea (6H-HO)

Failure to comply with the above request within the time frame specified may result in an enforcement action by EPA under the authority of §3008 of RCRA, including the assessment of penalties. You should also be aware that knowingly falsifying any information provided pursuant to this request is a criminal violation under §3008(d)(3) of RCRA, and other provisions and may result in fines and imprisonment.

If you have any questions with regard to the above, or should you need further clarification regarding your response to this letter, please contact Mr. William Rhea of my staff at (214) 767-9731.

Sincerely,

Allyn M. Davis  
Director  
Hazardous Waste Management Division

Enclosures

cc: Minor Hibbs  
Texas Water Commission

30141

TEXAS WATER COMMISSION

INVESTIGATION REPORT

DISTRICT 7

Date Investigation Requested January 24, 1986 Source Telephone

Request for Assistance \_\_\_\_\_ or Complaint X

Name: Mr. Bob Casale EF8603095

TYPE

Address: \_\_\_\_\_

Pollution, Surface Water X

City, State, Zip: Surfside, Texas

Pollution, Ground Water \_\_\_\_\_

Telephone: 409/233-5346

Solid Waste \_\_\_\_\_

Water Rights \_\_\_\_\_

Others X

Location: Fish Engineering and Construction Company, Marine Operations ISW 30141,

906 Marlin, Freeport 409/233-6371 (Barge Servicing Operation)

Alleged Problem: Solid waste discharges into air and water, general obnoxia, all hours.

Summary of Investigation: Company was subjected to solid waste inspection on February 20, 1986.

No particular environmental threats were noted. Company is aware of agency regulations.

However, the Texas Air Control Board has periodically investigated odors. Company is

located on Intracoastal Waterway, commercial and industrial area. Company operating at

☐ Interim Status of Corrective Action if problem is not yet resolved.

☒ Final Resolution of Problem: No problem was noted.

Date and method of notification of person making request for assistance or complaint: February 24, 1986 by telephone  
9:30 A. M.

County Brazoria Segment No. 1111

J. L. Lammhan  
Signature of Investigator

River Basin San Jacinto-  
Brazos Coastal Permit No. 30141

Date: February 22, 1986

C QUATION OF INVESTIGATION REPG.

this location ≈15 years. All chemical materials are collected and tanked. Alleged discharge to water is apparently heavy dust from sand blasting during barge servicing. The Texas Air Control Board is investigating this matter.

**FISH ENGINEERING & CONSTRUCTION, INC.**

March 28, 1986

Texas Water Commission  
Attention: Mr. Rex Coffman  
P. O. Box 13087  
Austin, Texas 78711

Dear Mr. Coffman:

During a recent compliance inspection, Mr. J. L. Lanahan suggested we request a withdrawal of our Part A. permit application because we do not process or treat any hazardous material. We do not store any product more than 90 days. All of our collected material from our barge cleaning operation is sold before 90 days.

We hereby request and submit this affidavit for exclusion from hazardous waste permit requirements.

Sincerely,



J. R. Nicholson  
Vice President of Construction

JRN/se  
ENCL.

cc: Mr. J. L. Lanahan

**FISH ENGINEERING & CONSTRUCTION, INC.**

March 28, 1986

Ms. Vicki McClendon  
Registration Unit  
Texas Water Commission  
P. O. Box 13087  
Austin, Texas 78711

Reference: Registration NO. ~~30140~~ <sup>30141</sup>

Dear Ms. McClendon:

During a recent compliance inspection, Mr. J. L. Lanahan of the Southwest Region, Deer Park office, noted that our Notice of Registration dated 9/30/85 listed waste number 003 evaporation pond sludge as no longer generated and facility 01 surface impoundment disposal.

We no longer have these evaporation ponds as they were closed on August of 1982 under our Closure Plan and approved by the Texas Department of Water Resources and District 7 office.

Mr. Lanahan mentioned he had talked to you and recommended we contact you to show on our Registration that these ponds are closed. I am enclosing letters verifying this action to show 003 and 01 closed and inactive on our registration. The former pond site was inspected by Mr. Lanahan.

Mr. Lanahan also noted on our Registration that our waste is Class I Hazardous.

After reviewing our on-site operation, he felt that our waste should be Class I Non-Hazardous, as the only waste we had is slightly contaminated water.

#003

1947 1...

Ms. Vicki McClendon  
Registration Unit  
March 28, 1986

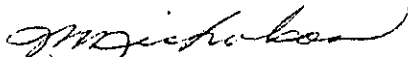
Page 2

We deal only with chemicals from barges. We do not process or treat any material. These small amounts of chemicals are stripped and stored only till they can be sold, as we hold none of this material more than 90 days. On occasion, we fresh water wash these barges after they are stripped out and this water is stored in our movable barge until we have a full load to send to a surface treatment facility. We handle no injection well material.

Our 05/27/83 Notice of Registration lists our wash water and chemicals as Class I Non-Hazardous. We feel this is the proper classification.

We request that our Registration Waste No. 001 and 002 be re-classified to Class I Non-Hazardous and 003 and 01 shown as closed on our Registration.

Sincerely,



J. R. Nicholson  
Vice President of Construction

001 & 002  
109270 Jm  
110760 Jm

JRN/se

encl.

cc: Mr. J. L. Lanahan

# TEXAS WATER COMMISSION



Paul Hopkins, Chairman  
Ralph Roming, Commissioner  
John O. Houchins, Commissioner

Larry R. Soward, Executive Director  
Mary Ann Heffner, Chief Clerk  
James K. Rourke, Jr., General Counsel

APR 17 1986

Mr. J. R. Nicholson  
Fish Engineering & Construction, Inc.  
P.O. Box 22535  
Houston, Texas 77027

Chm Mauk

MAB Hibbs

Re: Affidavit of Exclusion from  
Hazardous Waste Permitting Requirement  
Industrial Solid Waste Registration No. 30141

Dear Mr. Nicholson:

Enclosed is the referenced affidavit. It is being returned to you to be signed and notarized. Be sure that the notary's seal is legible and all points of the star show clearly. When this is done, please return it to my attention for processing.

Sincerely,

Charles E. Mauk, Acting Head  
Facility Unit IV  
Hazardous and Solid Waste Permits Section

CEM/jap

cc: TWC - Southeast Regional Office - Deer Park

# TEXAS WATER COMMISSION

Paul Hopkins, Chairman  
Ralph Roming, Commissioner  
John O. Houchins, Commissioner



Larry R. Soward, Executive Director  
Mary Ann Hefner, Chief Clerk  
James K. Rourke, Jr., General Counsel

April 17, 1986

Mr. J. R. Nicholson  
Fish Engineering & Construction, Inc.  
P.O. Box 22535  
Houston, Texas 77027

Re: Affidavit of Exclusion from  
Hazardous Waste Permitting Requirement  
Industrial Solid Waste Registration No. 30141

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Enclosed is the referenced affidavit. It is being returned to you to be signed and notarized. Be sure that the notary's seal is legible and all points of the star show clearly. When this is done, please return it to my attention for processing.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles E. Mauk".

Charles E. Mauk, Acting Head  
Facility Unit IV  
Hazardous and Solid Waste Permits Section

CEM/jap

cc: TWC - Southeast Regional Office - Deer Park





# TEXAS WATER COMMISSION

Paul Hopkins, Chairman  
Ralph Roming, Commissioner  
John O. Houchins, Commissioner



Larry R. Soward, Executive Director  
Mary Ann Hefner, Chief Clerk  
James K. Rourke, Jr., General Counsel

April 17, 1986

Mr. J. R. Nicholson  
Fish Engineering & Construction, Inc.  
P.O. Box 22535  
Houston, Texas 77027

Re: Affidavit of Exclusion from  
Hazardous Waste Permitting Requirement  
Industrial Solid Waste Registration No. 30141

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Sincerely,

A handwritten signature in cursive script, appearing to read "Charles E. Mauk".

Charles E. Mauk, Acting Head  
Facility Unit IV  
Hazardous and Solid Waste Permits Section

CEM/jap

cc: TWC - Southeast Regional Office - Deer Park



30141

**FISH**

**FISH  
ENGINEERING &  
CONSTRUCTION, INC.**

THREE POST OAK CENTRAL 1990 POST OAK BOULEVARD

RECEIVED

MAY 23 1986

TEXAS WATER  
COMMISSION

Rec'd by RAV  
7-28-86

April 21, 1986

Texas Water Commission  
P. O. Box 13087, Capitol Station  
Austin, Texas 78711

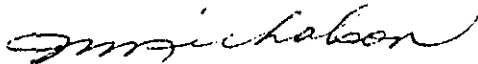
Attention: Mr. Charles E. Mauk, Acting Head  
Facility Unit IV  
Hazardous and Solid Waste Permits Section

Dear Mr. Mauk:

Enclosed herewith is a fully executed, notarized and dated copy of an Affidavit of Exclusion from Hazardous Waste Permitting Requirement with a copy of your letter dated April 17, 1986.

Fish would appreciate your immediate attention to this matter.

Sincerely yours,



J. R. Nicholson  
Vice President, Construction

JRN/mcs

Enclosure

cc: T. Randolph  
G. B. Smith  
File Job 2000

Direct Correspondence To:

P.O. Box 22535 • Houston, Texas 77227 • (713) 621-8300



**FISH  
ENGINEERING &  
CONSTRUCTION, INC.**

THREE POST OAK CENTRAL 1990 POST OAK BOULEVARD

RECEIVED

APR 23 1986

TEXAS WATER  
COMMISSION

Rec'd by RAR  
7-28-86

April 21, 1986

Texas Water Commission  
P. O. Box 13087, Capitol Station  
Austin, Texas 78711

Attention: Mr. Charles E. Mauk, Acting Head  
Facility Unit IV  
Hazardous and Solid Waste Permits Section

Dear Mr. Mauk:

Enclosed herewith is a fully executed, notarized and dated copy of an Affidavit of Exclusion from Hazardous Waste Permitting Requirement with a copy of your letter dated April 17, 1986.

Fish would appreciate your immediate attention to this matter.

Sincerely yours,

J. R. Nicholson  
Vice President, Construction

JRN/mcs

Enclosure

cc: T. Randolph  
G. B. Smith  
File Job 2000

Direct Correspondence To:

P.O. Box 22535 • Houston, Texas 77227 • (713) 621-8300

TWX 910 881 1741 (FISH ENGR HO) • TELEX 46 20392 (FISH UI) • FAX 850-7682

DW0550

TEXAS WATER COMMISSION  
NOTICE OF REGISTRATION  
INDUSTRIAL SOLID WASTE GENERATION/DISPOSAL

05-01-86

THIS IS NOT A PERMIT AND DOES NOT CONSTITUTE AUTHORIZATION OF ANY WASTE MANAGEMENT ACTIVITIES OR FACILITIES LISTED BELOW. REQUIREMENTS FOR SOLID WASTE MANAGEMENT ARE PROVIDED BY TEXAS ADMINISTRATIVE CODE SECTION 335 OF THE RULES OF THE TEXAS WATER COMMISSION (TWC). CHANGES OR ADDITIONS TO WASTE MANAGEMENT METHODS REFERRED TO IN THIS NOTICE REQUIRE WRITTEN NOTIFICATION TO THE TWC.

DATE OF NOTICE: 05-02-86

REGISTRATION DATE: 05-10-77

REGISTRATION NUMBER: 30141

EPA I.D. NUMBER: TXD980626121

THE REGISTRATION NUMBER PROVIDES ACCESS TO STORED INFORMATION PERTAINING TO YOUR OPERATION. PLEASE REFER TO THAT NUMBER IN ANY CORRESPONDENCE.

COMPANY NAME: FISH ENGINEERING &  
MAILING ADDRESS: CONSTRUCTION, INC.  
P.O. BOX 22535  
HOUSTON, TEXAS 77027

GENERATING SITE LOCATION:  
BRAZORIA CO. RD. 756.1 MI EAST OF HWY 332  
CONTACT PERSON: J.R. NICHOLSON  
PHONE: (713) 621-8300  
NUMBER OF EMPLOYEES: LESS THAN 100  
TWC DISTRICT: 07

REGISTRATION STATUS: ACTIVE  
REGISTRATION TYPE: GENERATOR  
HAZARDOUS WASTE STATUS: GENERATOR/TSD FACILITY

I. WASTE GENERATED:

WASTE NUMBER	DESCRIPTION	CLASS	CODE	DISPOSITION
001	WASHINGS FROM BARGES, TANKS, RR TANK CARS, ETC.-MISC. CHEMS	I	109270	ON-SITE/OFF-SITE/SOL D FOR RECOVERY
002	ORGANIC CHEMICALS (DRAINAGE, FLUSHINGS, AND WASHINGS), MISC.	I	110760	ON-SITE/OFF-SITE/SOL D FOR RECOVERY
003	EVAPORATION POND SLUDGE (ORGANICS & HYDROCARBONS)	IH	979490	NO LONGER GENERATED

EPA HAZARDOUS WASTE NOS. (REFER TO 40 CFR PART 261 FOR DESCRIPTIONS):

NOTICE OF REGISTRATION (CONTINUED)  
REGISTRATION NUMBER: 30141  
COMPANY NAME: FISH ENGINEERING &

PAGE 2

004 PETROLEUM REFINING STILL II 250150 ON-SITE/OFF-SITE/SOL  
BOTTOMS D FOR RECOVERY

II. SHIPPING/REPORTING: PURSUANT TO TEXAS ADMINISTRATIVE CODE SECTION 335 OF THE RULES OF THE TWC PERTAINING TO INDUSTRIAL SOLID WASTE MANAGEMENT, ISSUANCE OF MANIFESTS AND MONTHLY REPORTING ARE REQUIRED FOR OFF-SITE STORAGE/PROCESSING/DISPOSAL OF THE FOLLOWING CLASS I WASTES LISTED IN PART I.

PREPARE A MONTHLY WASTE SHIPMENT SUMMARY AND SUBMIT IT ALONG WITH THE GREEN COPY OF THE MANIFEST(S) FOR EACH MONTH THAT SHIPMENTS OF THE FOLLOWING WASTE(S) ARE MADE. NO MONTHLY WASTE SHIPMENT SUMMARY IS REQUIRED FOR MONTHS WHEN SHIPMENTS ARE NOT MADE.

001 109270 WASHINGS FROM BARGES, TANKS,  
RR TANK CARS, ETC.-MISC. CHEMS

002 110760 ORGANIC CHEMICALS (DRAINAGE,  
FLUSHINGS, AND WASHINGS), MISC.

III. ON-SITE WASTE MANAGEMENT FACILITIES:

FAC NO.	FACILITY	STATUS
01	SURFACE IMPOUNDMENT DISPOSAL OF WASTE NUMBER(S) 001 5.5 MGAL  SUBJECT TO PERMIT NUMBER (PENDING) LINED PONDS	INACTIVE
02	BULK STORAGE AREA STORAGE OF WASTE NUMBER(S) 001, 002, 003, 004  SUBJECT TO PERMIT NUMBER (PENDING) MOVEABLE BARGE	ACTIVE
03	TANK STORAGE OF WASTE NUMBER(S) 001, 002, 003, 004  SUBJECT TO PERMIT NUMBER (PENDING)	ACTIVE
04	TANK STORAGE OF WASTE NUMBER(S) 001, 002, 003, 004  SUBJECT TO PERMIT NUMBER (PENDING)	ACTIVE

NOTICE OF REGISTRATION (CONTINUED)  
REGISTRATION NUMBER: 30141  
COMPANY NAME: FISH ENGINEERING &

PAGE 3

05 SURFACE IMPOUNDMENT  
STORAGE  
OF WASTE NUMBER(S) 003  
5.5 MGAL

ACTIVE

SUBJECT TO PERMIT NUMBER (PENDING)  
LINED PONDS

UNLESS OTHERWISE STATED ABOVE, FACILITIES ARE LOCATED  
AT BRAZORIA CO. RD. 756, 1 MI EAST OF HWY 332  
COUNTY OF BRAZORIA

#### IV. RECORDS.

- A. FOR PURPOSES OF FILING ANNUAL REPORTS PURSUANT TO TEXAS ADMINISTRATIVE CODE SECTION 335 OF THE RULES OF THE TWC PERTAINING TO INDUSTRIAL SOLID WASTE MANAGEMENT, RECORDS SHOULD BE MAINTAINED FOR STORAGE, PROCESSING AND/OR DISPOSAL OF THE FOLLOWING WASTE(S) LISTED IN PART I:

001 109270 WASHINGS FROM BARGES, TANKS,  
RR TANK CARS, ETC.-MISC. CHEMS

002 110760 ORGANIC CHEMICALS (DRAINAGE,  
FLUSHINGS, AND WASHINGS), MISC.

- B. PROOF OF RECORDATION IN THE COUNTY DEED RECORDS, AS REQUIRED BY TEXAS ADMINISTRATIVE CODE SECTION 335 OF THE RULES OF THE TWR, SHOULD BE SUBMITTED TO THE EXECUTIVE DIRECTOR FOR THE FOLLOWING FACILITIES LISTED IN PART III IN ACCORDANCE WITH THE FOLLOWING SCHEDULES:

NEW FACILITIES - PRIOR TO INITIATION OF  
DISPOSAL OPERATIONS.

EXISTING FACILITIES - AS SOON AS POSSIBLE, BUT NO  
LATER THAN SIXTY (60) DAYS FROM  
THE DATE OF THIS NOTICE, UNLESS  
PREVIOUSLY SUBMITTED.

FAC NO	FACILITY
-----	-----

01	SURFACE IMPOUNDMENT
----	---------------------

AFFIDAVIT OF EXCLUSION OF HAZARDOUS WASTE PERMITTING REQUIREMENT

11794

Registration No. 30141

Application No. \_\_\_\_\_

Facility Name (Commission Use Only)  
Fish Engineering & Construction

County of Brazoria,

J. R. Nicholson being duly sworn, deposes and says:

I am Vice President of Fish Engineering & Construction  
Title (Owner or Principal Officer) Facility Owner

and Address

This affidavit is being executed for the purpose of notifying the Executive Director of the Texas Water Commission that the named facility does not require a hazardous waste permit because:

Check appropriate box(es):

- ☐ No hazardous waste is stored, processed or disposed on-site
- ☒ The facility qualifies for the "Accumulation Time" storage exclusion of Texas Administrative Code, Section 335.69
- ☐ The facility qualifies for the "Small Quantity Generator" exclusion of Texas Administrative Code, Section 335.2(e)
- ☐ The facility qualifies for the "Elementary Neutralization Unit" exclusion of Texas Administrative Code, Section 335.2(f)
- ☐ The facility qualifies for the "Wastewater Treatment Unit" exclusion of Texas Administrative Code, Section 335.2(f)
- ☐ Other (Explain with an attachment and reference TWC rule)

Sworn to before me this

21st day of April, 1986.

J. R. Nicholson  
Signature

Creda Moore Upton  
Notary Public in and for

Harris County, Texas

My commission expires 6/1/80

# TEXAS WATER COMMISSION

Paul Hopkins, Chairman  
Ralph Roming, Commissioner  
John O. Houchins, Commissioner



30141  
Larry R. Soward, Executive Director  
Mary Ann Hefner, Chief Clerk  
James K. Rourke, Jr., General Counsel

June 18, 1986

Mr. Tom Randolph  
FISH ENGINEERING & CONST.  
P.O. Box 22535  
HOUSTON, TEXAS 77227

Re: Registration Number 30141

Dear Mr. Randolph:

Enclosed is the original Annual Waste Summary for 1985 received from your company. This report is being returned to you because it has been prepared incorrectly.

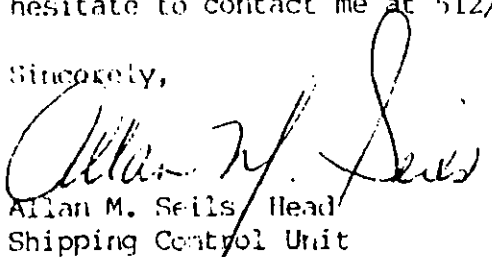
In order to provide you with assistance in completing this report I have included the following material with your original report.

1. A copy of your current Notice of Registration
2. A precoded Annual Waste Summary with all the required waste codes and facility units. You only need to complete the quantity fields and sign and date the report.
3. A copy of the section on the completion of the Annual Waste Summary taken from the Self-Reporting Systems booklet which is currently under revision.

Please make every effort to return the corrected report with all the required information by no later than July 31, 1986. This report will be delinquent until such time as we receive the corrected summary in our office.

Should you require any assistance in completing this report please do not hesitate to contact me at 512/463-8175.

Sincerely,

  
Allan M. Seils, Head  
Shipping Control Unit

Enclosures

Texas Water Commission District 7 Office



DWD550

TEXAS WATER COMMISSION  
NOTICE OF REGISTRATION  
INDUSTRIAL SOLID WASTE GENERATION/DISPOSAL

07-07-86

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DATE OF NOTICE: 06-27-86

REGISTRATION DATE: 05-10-77

REGISTRATION NUMBER: 30141

EPA I.D. NUMBER: TXD980626121

THE REGISTRATION NUMBER PROVIDES ACCESS TO STORED INFORMATION PERTAINING TO YOUR OPERATION. PLEASE REFER TO THAT NUMBER IN ANY CORRESPONDENCE.

COMPANY NAME: FISH ENGINEERING &  
MAILING ADDRESS: CONSTRUCTION, INC.  
P.O. BOX 22535  
HOUSTON, TEXAS 77027

GENERATING SITE LOCATION:  
BRAZORIA CO. RD. 756, 1 MI EAST OF HWY 332  
CONTACT PERSON: J.R. NICHOLSON  
PHONE: (713) 621-8300  
NUMBER OF EMPLOYEES: LESS THAN 100  
TWC DISTRICT: 07

REGISTRATION STATUS: ACTIVE  
REGISTRATION TYPE: GENERATOR  
HAZARDOUS WASTE STATUS: GENERATOR/TSD FACILITY

I. WASTE GENERATED:

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EPA HAZARDOUS WASTE NOS. (REFER TO 40 CFR PART 261 FOR DESCRIPTIONS):

NOTICE OF REGISTRATION (INUED)  
REGISTRATION NUMBER: 30141  
COMPANY NAME: FISH ENGINEERING &

PAGE 2

004 PETROLEUM REFINING STILL  
BOTTOMS

II 250150 ON-SITE/OFF-SITE/SOL  
D FOR RECOVERY

II. SHIPPING/REPORTING: PURSUANT TO TEXAS ADMINISTRATIVE CODE SECTION 335 OF THE RULES OF THE TWC PERTAINING TO INDUSTRIAL SOLID WASTE MANAGEMENT, ISSUANCE OF MANIFESTS AND MONTHLY REPORTING ARE REQUIRED FOR OFF-SITE STORAGE/PROCESSING/DISPOSAL OF THE FOLLOWING CLASS I WASTES LISTED IN PART I.

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III. ON-SITE WASTE MANAGEMENT FACILITIES:

FAC NO.	FACILITY	STATUS
01	SURFACE IMPOUNDMENT DISPOSAL OF WASTE NUMBER(S) 001 5.5 MGAL  SUBJECT TO PERMIT NUMBER (PENDING) LINED PONDS	CLOSED
02	BULK STORAGE AREA <i>usable waste for sale in near</i> STORAGE OF WASTE NUMBER(S) 001, 002, 004  SUBJECT TO PERMIT NUMBER (PENDING) MOVEABLE BARGE	ACTIVE
03	TANK <i>same as</i> STORAGE OF WASTE NUMBER(S) 001, 002, 004  SUBJECT TO PERMIT NUMBER (PENDING)	ACTIVE
04	TANK <i>same as 02</i> STORAGE OF WASTE NUMBER(S) 001, 002, 004  SUBJECT TO PERMIT NUMBER (PENDING)	ACTIVE

NOTICE OF REGISTRATION (INUED)  
REGISTRATION NUMBER: 30141  
COMPANY NAME: FISH ENGINEERING &

PAGE 3

05 SURFACE IMPOUNDMENT  
STORAGE  
OF WASTE NUMBER(S) 003  
5.5 MGAL

*Done. Changes  
01*

CLOSED

SUBJECT TO PERMIT NUMBER (PENDING)  
LINED PONDS

UNLESS OTHERWISE STATED ABOVE, FACILITIES ARE LOCATED  
AT BRAZORIA CO. RD. 756, 1 MI EAST OF HWY 332  
COUNTY OF BRAZORIA

#### IV. RECORDS.

- A. FOR PURPOSES OF FILING ANNUAL REPORTS PURSUANT TO TEXAS ADMINISTRATIVE CODE SECTION 335 OF THE RULES OF THE TWC PERTAINING TO INDUSTRIAL SOLID WASTE MANAGEMENT, RECORDS SHOULD BE MAINTAINED FOR STORAGE, PROCESSING AND/OR DISPOSAL OF THE FOLLOWING WASTE(S) LISTED IN PART I:

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NEW FACILITIES - PRIOR TO INITIATION OF  
DISPOSAL OPERATIONS.

EXISTING FACILITIES - AS SOON AS POSSIBLE, BUT NO  
LATER THAN SIXTY (60) DAYS FROM  
THE DATE OF THIS NOTICE, UNLESS  
PREVIOUSLY SUBMITTED.

FAC NO	FACILITY
01	SURFACE IMPOUNDMENT

# Texas Water Commission

## INTEROFFICE MEMORANDUM

TO : C.R. File, Reg No. 30141

DATE: July 31, 1986

THRU :

FROM : Randall E Van Damer, HSW Permits Section

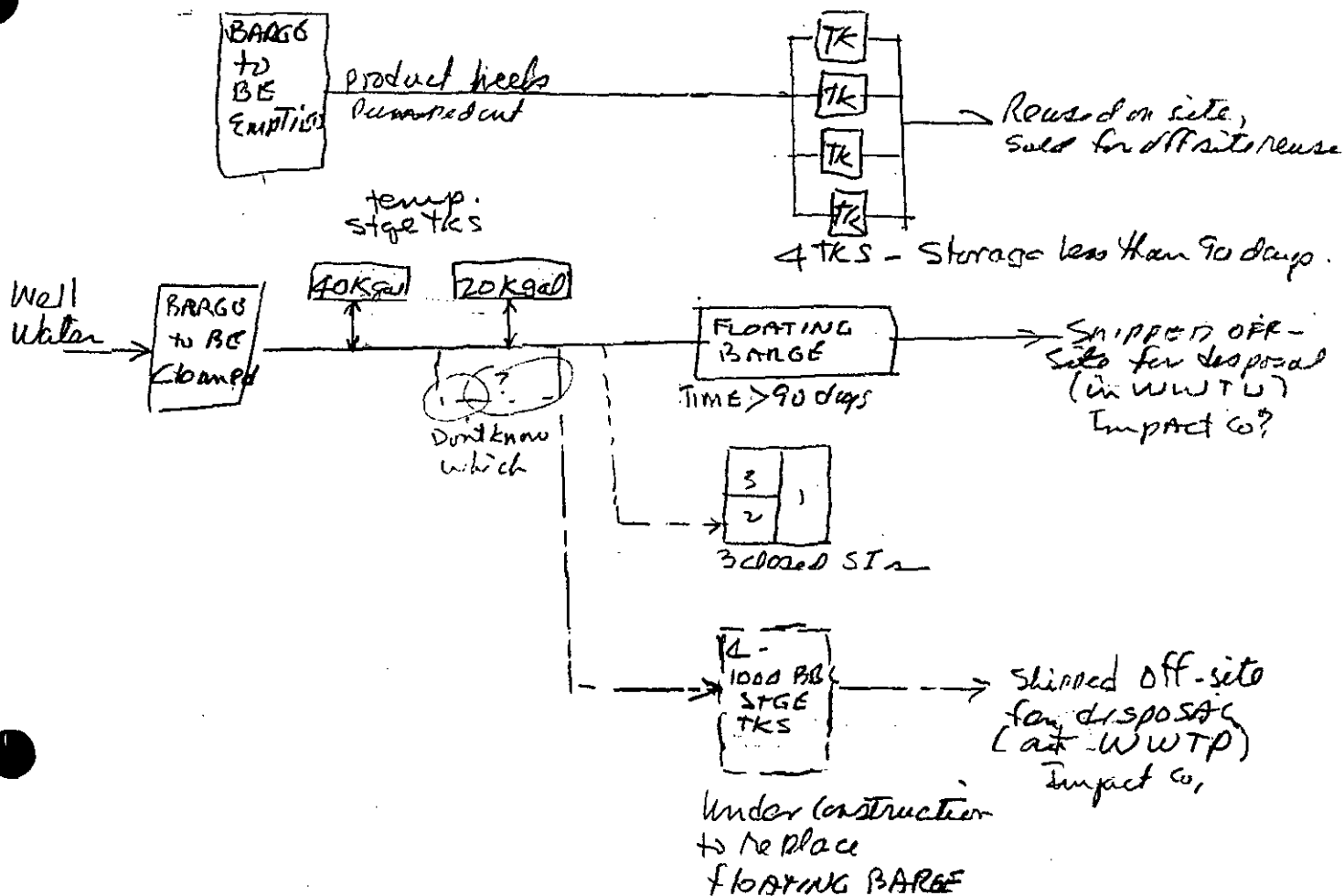
SUBJECT: Fish Engineering Marine Operations

Telephone conversation with Mr. Tom Randolph,  
Operations Mgr, Freeport, Tx, July 31, 1986

Purpose of call to Mr. Randolph: To solicit information  
on the operation for evaluation of the Affidavit of  
Exclusion from Hazardous Waste Permitting Requirement.

Description of the Freeport Operation:

Barges are emptied and washed clean for repair or other reasons.



30141  
TEXAS WATER COMMISSION

Paul Hopkins, Chairman  
Ralph Roming, Commissioner  
John O. Houchins, Commissioner



Larry R. Soward, Executive Director  
Mary Ann Hefner, Chief Clerk  
James K. Rourke, Jr., General Counsel

August 18, 1986

Mr. Tom Randolph  
Marine Manager  
Fish Engineering and Construction, Inc.  
P. O. Box 22535  
Post Oak Tower  
Houston, Texas 77027

Re: Hazardous Waste Facility Fee Assessment  
Solid Waste Registration No. 30141

Dear Mr. Randolph:

Your letter of July 18, 1986 concerned the question of whether Fish Engineering should be subject to a supplemental assessment of facility fees in this year. Under the regulations governing this assessment, a facility authorized to treat, store or dispose of hazardous waste is subject to such a fee until an affidavit of exclusion from permit requirements has been filed with the Texas Water Commission.

In consideration of the reclassification of the wastes at this facility and the reported operating procedures for short term (less than 90 days) storage of wastes, the Commission will require no further assessment of hazardous waste facility fees. In the event that you should operate any facility handling hazardous waste in a manner subject to a permit, the assessment of these fees will become applicable.

If you have any further questions, please contact me. I can be reached at 512/463-8132.

Sincerely,

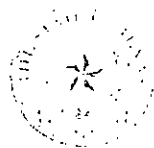
A handwritten signature in cursive script, appearing to read "sm", is written above the typed name.

Stephen Minick  
Management Assistance Unit  
Executive Division

sm

## TEXAS WATER COMMISSION

Paul Hopkins, Chairman  
Ralph Roming, Commissioner  
John O. Houchins, Commissioner



Larry R. Soward, Executive Director  
Mary Ann Hefner, Chief Clerk  
James K. Rourke, Jr., General Counsel

August 18, 1986

Mr. Tom Randolph, Marine Manager  
Fish Engineering & Construction, Inc.  
P.O. Box 22535  
Houston, Texas 77027

Re: Affidavit of Exclusion  
Fish Engineering Construction, Inc.  
Industrial Solid Waste Registration No. 30141  
Hazardous Waste Permit Application No. 11794

Dear Mr. Randolph:

We are reviewing the Affidavit of Exclusion submitted for the purpose of withdrawing the subject hazardous waste permit application.

As you know, your company submitted for the Freeport facility an EPA Form 8700-12, Notification of Hazardous Waste Activity, in 1980 which stated that the company generated, stored, treated and disposed of hazardous waste. Then, in 1981, the company submitted the Part A application for a hazardous waste management facility at the Freeport facility.

In view of your conversations recently with Mr. Randall E. VanDenover, P.E., of our staff, concerning the affidavit and your operations, we are requesting you to submit a description of the process(es) your Freeport operation has used or uses, since the closure of the three lagoons, which might generate a waste. If it can be shown that, since the closures, the wastes are not hazardous, that hazardous wastes are not stored for more than 90 days in accordance with 31 Texas Administrative Code Section 335.69, or that one of the other conditions listed in the affidavit is applicable, the affidavit will be considered.

Also, please include in your description any limitations on materials which might preclude acceptance of a barge for cleaning.

We are aware that barges are considered to be containers and that, if containers meet the qualifications of being empty as provided for in EPA's rule in 40 CFR 261.7, the waste remains non-hazardous when it is removed from the container unless the waste fails a test for a characteristic of a hazardous waste as identified in 40 CFR Part 261 Subpart C. It should be noted that storage of a liquid waste could cause a characteristic hazardous waste to be generated if, for example, separation into a phase which is hazardous occurs. Please also note, in answer to a question asked, that simple processing such as agitation of a tank with air during storage of a hazardous waste for 90 days or less is acceptable.

We are enclosing a copy of affidavit submitted for the Freeport facility for your information.

Mr. Tom Randolph  
August 18, 1986  
Page 2

When we have received your response, the Affidavit of Exclusion will be reviewed further.

Should you have any questions regarding this matter, please contact Mr. Randall E. VanDenover of this office at AC512/463-8174.

Sincerely,



Minor Brooks Hibbs, Chief  
Permits Section  
Hazardous and Solid Waste Division

REV:af

Enclosure

cc: TWC District

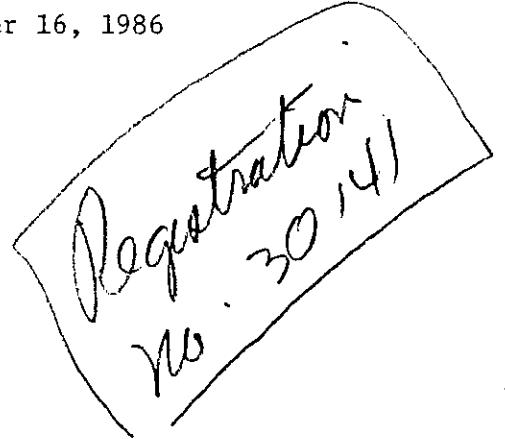
TWC H&SW Program Supprt Section

**FISH ENGINEERING & CONSTRUCTION, INC.**

September 16, 1986

Minor Brooks Hibbs, Chief  
Permits Section  
Hazardous and Solid Waste Division  
P. O. Box 13087 Capitol Station  
Austin, Texas 78711

Re: Affidavit of Exclusion  
Fish Engineering Construction, Inc.  
Industrial Solid Waste Registration No. 30141  
Hazardous Waste Permit Application No. 11794



Dear Mr. Hibbs:

In response to your letter dated August 8, 1986, here is a description of our barge cleaning operation. The cleaning of barges is our only association with any chemicals and waste.

When a barge comes in for cleaning, the product has been pumped off at some other location. The small unpumpable amount that is left in the sump of the barge is pumped out with small pumps. It is not treated or processed and sold as virgin material.

The average amount left in a barge is approximately 300 gallons out of a capacity between 400,000 and 1,000,000 gallons which meets the qualifications of an empty container.

The barges are then ventilated with fresh air to make safe for entry of personnel. By the time the tanks are safe for entry, most any product not pumped out has evaporated. At this time, we may have instructions from the owner to fresh water wash the cargo tanks. The washing can be done through the hatches from the deck or done with personnel and high pressure hoses in the tanks. The wash water is pumped out and stored in our waste water barge.

This water can be agitated with air to speed up evaporation of water and in evaporating the water, any minute amount of product in the water is also evaporated.



Minor Brooks Hibbs, Chief  
September 16, 1986  
Page 2

This water does not have any of the characteristics of hazardous waste as listed in C.F.R. 40 part 261 Sub-part C. We do not handle any of the contaminants listed in Table I of part 261.24 Sub-part C. Other products in barges we have declined to handle are Sulfuric Acid, Phenols and Acrylates.

We feel that we meet the qualifications for Affidavit of Exclusion.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom Randolph".

Tom Randolph  
Marine Manager  
Fish Engineering & Construction

TR/se  
cc: Leo Favort/Fish Engineering

TEXAS WATER COMMISSION

CR  
30141

Paul Hopkins, Chairman  
Ralph Roming, Commissioner  
John O. Houchins, Commissioner

C. Martin Wilson III, General Counsel  
James K. Rourke, Jr., Chief Examiner  
Mary Ann Hefner, Chief Clerk

Larry R. Soward, Executive Director

May 19, 1987

Mr. J.R. Nicholson  
Fish Engineering  
and Construction  
P.O. Box 22535  
Houston, Texas 77027

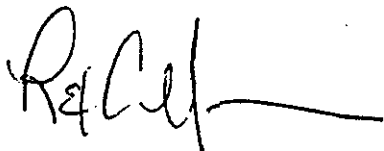
Re: Affidavit of Exclusion  
Fish Eng. & Construction  
TWC Reg. # 30141  
Application # 11794  
EPA ID. #TXD980626121

Dear Mr. Nicholson:

This is in regard to an Affidavit of Exclusion (AOE) for the subject facility currently on file with the Texas Water Commission (TWC). Evaluation of reference material indicates that the "no hazardous waste is treated, stored or disposed" exclusion would appear more appropriate for waste management activities currently being conducted at your facility. Please review all aspects of waste management at your facility and amend your current AOE if you concur with the above. To amend the AOE, simply complete the attached form, sign, notarize, and return it to TWC. The form should be returned as soon as possible so as to expedite processing of your exclusion.

Should you have any questions regarding this correspondence, please do not hesitate to call 512/463-7764.

Sincerely,



Rex Coffman, Assistant Chief  
Reports and Management Section  
Hazardous and Solid Waste Division

RC:ok

Enclosure

## RT I GENERAL INFORMATION

## CHANGES AND CORRECTIONS

S NUM: 30141  
CONTACT: J.R. NICHOLSON  
FISH ENGINEERING  
P.O. BOX 22535

HOUSTON

TX 77027-0000

ONE: (713)621-8300

## RT II HAZARDOUS WASTE GENERATION AND DISPOSITION

EQW DESCRIPTION	TWC CODE	ULTIMATE DISPOSITION	PROJECTED ANNUAL GENERATION-KILOGR		
			1987	1988	1989
*** *****	*****	*****	*****	*****	*****
Re-Classified to Class I Non-Hazardous 6/27/86					
-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----

THE INFORMATION REPORTED HERE IS TO THE BEST OF MY KNOWLEDGE  
TRUE, ACCURATE, AND COMPLETE.

NAME OF AUTHORIZED AGENT

Tom Randolph

SIGNATURE

DATE

5/5/87

5-12-87  
12

TEXAS WATER COMMISSION

CR  
30141

Paul Hopkins, Chairman  
Ralph Roming, Commissioner  
John O. Houchins, Commissioner



C. Martin Wilson III, General Counsel  
James K. Rourke, Jr., Chief Examiner  
Mary Ann Hefner, Chief Clerk

Larry R. Soward, Executive Director

June 5, 1987

Mr. J.R. Nicholson  
Fish Engineering and Construction  
P.O. Box 22535  
Houston, Texas 77027

Re: ~~Fish Engineering and Construction~~  
Application No. 11794  
~~Registration No. 30141~~  
U.S. EPA I.D. No. TXD980626121

Dear Mr. Nicholson:

We have reviewed Part A - Facility Background Information for the above referenced site and also the Affidavit of Exclusion which was submitted for the purpose of withdrawing the hazardous waste permit application from further consideration in accordance with the exclusion claimed.

Based on our review of Part A and the Affidavit of Exclusion, the application for a hazardous waste permit has been withdrawn. We are retaining certain portions of the Part A for incorporation into your solid waste registration file.

Should you have any questions regarding this matter, please do not hesitate to contact Ms. Wilma Varner of my staff at 512/463-7764.

Sincerely,

A handwritten signature in dark ink, appearing to read "Russell S. Kimble".

Russell S. Kimble, Chief  
Reports and Management Section  
Hazardous and Solid Waste Division

WV:ok

TEXAS WATER COMMISSION

30141

Paul Hopkins, Chairman  
Ralph Roming, Commissioner  
John O. Houchins, Commissioner

C. Martin Wilson III, General Counsel  
James K. Rourke, Jr., Chief Examiner  
Mary Ann Hefner, Chief Clerk

Larry R. Soward, Executive Director

June 5, 1987

Mr. J.R. Nicholson  
Fish Engineering and Construction  
P.O. Box 22535  
Houston, Texas 77027

Re: Fish Engineering and Construction  
Application No. 11794  
Registration No. 30141  
U.S. EPA I.D. No. TXD980626121

Dear Mr. Nicholson:

We have reviewed Part A - Facility Background Information for the above referenced site and also the Affidavit of Exclusion which was submitted for the purpose of withdrawing the hazardous waste permit application from further consideration in accordance with the exclusion claimed.

Based on our review of Part A and the Affidavit of Exclusion, the application for a hazardous waste permit has been withdrawn. We are retaining certain portions of the Part A for incorporation into your solid waste registration file.

Should you have any questions regarding this matter, please do not hesitate to contact Ms. Wilma Varner of my staff at 512/463-7764.

Sincerely,



Russell S. Kimble, Chief  
Reports and Management Section  
Hazardous and Solid Waste Division

WV:ok

DWD550

TEXAS WATER COMMISSION  
NOTICE OF REGISTRATION  
SOLID WASTE MANAGEMENT

06-10-87

THIS IS NOT A PERMIT AND DOES NOT CONSTITUTE AUTHORIZATION OF ANY WASTE MANAGEMENT ACTIVITIES OR FACILITIES LISTED BELOW. REQUIREMENTS FOR SOLID WASTE MANAGEMENT ARE PROVIDED BY TEXAS ADMINISTRATIVE CODE SECTION 335 OF THE RULES OF THE TEXAS WATER COMMISSION (TWC). CHANGES OR ADDITIONS TO WASTE MANAGEMENT METHODS REFERRED TO IN THIS NOTICE REQUIRE WRITTEN NOTIFICATION TO THE TWC.

DATE OF NOTICE: 05-29-87

REGISTRATION DATE: 05-10-77

REGISTRATION NUMBER: 30141

EPA I.D. NUMBER: TXD980626121

THE REGISTRATION NUMBER PROVIDES ACCESS TO STORED INFORMATION PERTAINING TO YOUR OPERATION. PLEASE REFER TO THAT NUMBER IN ANY CORRESPONDENCE.

COMPANY NAME: FISH ENGINEERING &  
MAILING ADDRESS: CONSTRUCTION, INC.  
P.O. BOX 22535  
HOUSTON, TEXAS 77027

GENERATING SITE LOCATION:

DRAZORIA CO. RD. 756, 1 MI EAST OF HWY 332

CONTACT PERSON: J.R. NICHOLSON

PHONE: (713) 621-8300

NUMBER OF EMPLOYEES: LESS THAN 100

TWC DISTRICT: D7

REGISTRATION STATUS: ACTIVE  
REGISTRATION TYPE: GENERATOR  
HAZARDOUS WASTE STATUS:  
GENERATOR

I. WASTE GENERATED:

WASTE NUMBER	DESCRIPTION	CLASS	CODE	DISPOSITION
001	WASHINGS FROM BARGES, TANKS, RR TANK CARS, ETC.-MISC. CHEMS	I	109270	ON-SITE/OFF-SITE/SOL D FOR RECOVERY
002	ORGANIC CHEMICALS (DRAINAGE, FLUSHINGS, AND WASHINGS), MISC.	I	110760	ON-SITE/OFF-SITE/SOL D FOR RECOVERY
003	EVAPORATION POND SLUDGE (ORGANICS & HYDROCARBONS)	IH	979490	NO LONGER GENERATED

EPA HAZARDOUS WASTE NOS. (REFER TO 40 CFR PART 261 FOR DESCRIPTIONS):

NOTICE OF REGISTRATION (CONTINUED)  
REGISTRATION NUMBER: 30141  
COMPANY NAME: FISH ENGINEERING &

PAGE 2

004 PETROLEUM REFINING STILL II 250150 ON-SITE/OFF-SITE/SOL  
BOTTOMS D FOR RECOVERY

II. SHIPPING/REPORTING: PURSUANT TO TEXAS ADMINISTRATIVE CODE SECTION 335 OF THE RULES OF THE TWC PERTAINING TO INDUSTRIAL SOLID WASTE MANAGEMENT, ISSUANCE OF MANIFESTS AND MONTHLY REPORTING ARE REQUIRED FOR OFF-SITE STORAGE/PROCESSING/DISPOSAL OF THE FOLLOWING CLASS I WASTES LISTED IN PART I.

PREPARE A MONTHLY WASTE SHIPMENT SUMMARY AND SUBMIT IT ALONG WITH THE GREEN COPY OF THE MANIFEST(S) FOR EACH MONTH THAT SHIPMENTS OF THE FOLLOWING WASTE(S) ARE MADE. NO MONTHLY WASTE SHIPMENT SUMMARY IS REQUIRED FOR MONTHS WHEN SHIPMENTS ARE NOT MADE.

001 109270 WASHINGS FROM BARGES, TANKS,  
RR TANK CARS, ETC.--MISC. CHEMS

002 110760 ORGANIC CHEMICALS (DRAINAGE,  
FLUSHINGS, AND WASHINGS), MISC.

III. ON-SITE WASTE MANAGEMENT FACILITIES:

FAC NO.	FACILITY	STATUS
01	SURFACE IMPOUNDMENT DISPOSAL OF WASTE NUMBER(S) 001 5.5 MGAL  SUBJECT TO PERMIT NUMBER (PENDING) LINED PONDS	CLOSED
02	BULK STORAGE AREA STORAGE OF WASTE NUMBER(S) 001, 002, 004  SUBJECT TO PERMIT NUMBER (PENDING) MOVEABLE BARGE	ACTIVE
03	TANK STORAGE OF WASTE NUMBER(S) 001, 002, 004  SUBJECT TO PERMIT NUMBER (PENDING)	ACTIVE
04	TANK STORAGE OF WASTE NUMBER(S) 001, 002, 004  SUBJECT TO PERMIT NUMBER (PENDING)	ACTIVE

NOTICE OF REGISTRATION (CONTINUED)  
REGISTRATION NUMBER: 30141  
COMPANY NAME: FISH ENGINEERING &

PAGE 3

05 SURFACE IMPOUNDMENT  
STORAGE  
OF WASTE NUMBER(S) 003  
5.5 MGAL

CLOSED

SUBJECT TO PERMIT NUMBER (PENDING)  
LINED PONDS

UNLESS OTHERWISE STATED ABOVE, FACILITIES ARE LOCATED  
AT BRAZORIA CO. RD. 756, 1 MI EAST OF HWY 332  
COUNTY OF BRAZORIA

#### IV. RECORDS.

- A. FOR PURPOSES OF FILING ANNUAL REPORTS PURSUANT TO TEXAS ADMINISTRATIVE CODE SECTION 335 OF THE RULES OF THE TWC PERTAINING TO INDUSTRIAL SOLID WASTE MANAGEMENT, RECORDS SHOULD BE MAINTAINED FOR STORAGE, PROCESSING AND/OR DISPOSAL OF THE FOLLOWING WASTE(S) LISTED IN PART I:

001 109270 WASHINGS FROM BARGES, TANKS,  
RR TANK CARS, ETC.-MISC. CHEMS

002 110760 ORGANIC CHEMICALS (DRAINAGE,  
FLUSHINGS, AND WASHINGS), MISC.

- B. PROOF OF RECORDATION IN THE COUNTY DEED RECORDS, AS REQUIRED BY TEXAS ADMINISTRATIVE CODE SECTION 335 OF THE RULES OF THE TOWR, SHOULD BE SUBMITTED TO THE EXECUTIVE DIRECTOR FOR THE FOLLOWING FACILITIES LISTED IN PART III IN ACCORDANCE WITH THE FOLLOWING SCHEDULES:

NEW FACILITIES - PRIOR TO INITIATION OF  
DISPOSAL OPERATIONS.

EXISTING FACILITIES - AS SOON AS POSSIBLE, BUT NO  
LATER THAN SIXTY (60) DAYS FROM  
THE DATE OF THIS NOTICE, UNLESS  
PREVIOUSLY SUBMITTED.

FAC NO	FACILITY
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01	SURFACE IMPOUNDMENT
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